

REMARKS

Claims 15-29 and 36-40 were previously pending in the application, claims 10-14 and 30-35 having been withdrawn. By this amendment, claims 15, 20, and 25 have been amended. No new matter has been added. In view of the foregoing amendments and the following remarks, Applicants submit that all pending claims are in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claims 15-29 and 36-40 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Borsuk (U.S. Patent No. 5,475,399) in view of Hartrick (U.S. Patent No. 5,523,920). To the extent this rejection applies to the claims as amended, Applicants traverse.

Amended claim 15 recites, among other features, a method of providing on-line accounts for purchases of electronic books via a computer comprising permitting subscribers to access a corresponding on-line account for the subscriber at a user interface functioning via the processor enabling the subscriber to view information about recent orders. Neither of the cited references, alone or in combination, discloses nor suggests at least this feature.

The Examiner correctly acknowledges on pages 2-3 of the Office Action that Borsuk does not disclose permitting each of the subscribers to access a corresponding one of the on-line accounts for the subscriber at a user interface functioning via the processor, and relies on Hartrick to overcome this deficiency. In particular, the Examiner refers to Figure 11 of Hartrick as allegedly disclosing this feature.

Figure 11 of Hartrick shows a display of royalty payment information associated with a particular book. In Hartrick, if a “user enters a command to copy the book onto a writable storage medium such as a magnetic disk on disk drive 46 or to print a hardcopy of the book with a printer 44 or to transmit a copy of the book over a modem and network adapter 48, the royalty payment program 45 intercepts the copying command and suspends the copying operations. Instead, the royalty payment program 45 intercepts the copying command and suspends the copying operations. Instead, the royalty payment program 45 presents the user with a display of the royalty payment information stored in the book text of FIG. 4 or in the file 58 accompanying the book. The user must select the option of paying a royalty to the publisher before the royalty payment program permits a copy of the book to be made.” Hartrick, column 11, line 63-column 12, line 8. Thus, Hartrick discloses only presenting royalty information to a user associated with a particular book. This is not the same as permitting a subscriber to access an on-line account.

Moreover, in Hartrick, a user is shown royalty payment information **before** (and only if) a user attempts to copy or print a restricted book. Hartrick does not disclose or suggest anything related to permitting a subscriber to access an on-line account to view information about previous orders. Even the Examiner has noted that Hartrick discloses that a user pays “a royalty to the publisher before said user can access a copy of the book to be read.” Office Action, page 5 (emphasis added).

Accordingly, as Borsuk and Hartrick, alone or in combination with each other, fail to disclose or suggest at least the above-described features of claim 15, Applicants submit that claim 15 is patentable over the cited references. Independent claims 20 and

25 include similar features and are also patentable over the cited references at least for similar reasons. In addition, claims 16-24, 26-29, and 36-34 each depend from one of claims 15, 20, and 25, and are patentable over the cited references at least by virtue of this dependency.

CONCLUSION

For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below. In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, with reference to Attorney Docket No. 033033-00034.

Respectfully submitted,

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